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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

6 * * *

7 UNITED STATES OF AMERICA,

Case No. 2:16-cr-00046-GMN-PAL

8 Plaintiff,

9 v.

ORDER

10 RYAN C. BUNDY,

(Mot. to Dismiss – ECF No. 2625;
Mot. to Strike – ECF No. 2728)

11 Defendant.

12 Before the court is Defendant Ryan C. Bundy's Motion to Dismiss Indictment With
13 Prejudice Pursuant to FRCP 12(b) [*sic*] (ECF No. 2625) and the Government's Motion to
14 Strike (ECF No. 2728) Bundy's motion. These Motions are referred to the undersigned pursuant
15 to 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 of the Local Rules of Practice.

16 Mr. Bundy's motion to dismiss is untimely. Dispositive motions were due October 3, 2016,
17 pursuant to the court's Case Management Order (ECF No. 321). Ryan Bundy requested and
18 received an extension of his deadlines until October 17, 2016, and did not request any further
19 extensions. He has filed multiple motions challenging the sufficiency of the Superseding
20 Indictment (ECF No. 27), which have been considered and decided.¹ He has also filed multiple
21 motions demanding to be released, which have been considered and decided.² After exercising its
22 discretion to address the merits of multiple untimely motions, *see* ECF Nos. 1029, 1030, 1031,
23 1251, 1274; the court recommended that his untimely motion be denied and warned Mr. Bundy
24 that it "will simply not tolerate repeated disregard of court imposed deadlines, and *will summarily*
25 *deny any future untimely filed motions.*" Apr. 28, 2017 Report & Recommendation (ECF
26 No. 1912) (emphasis added), *accepted and adopted* by Order (ECF No. 2492) (overruling Ryan

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28 ¹ *See, e.g.*, ECF Nos. 831, 996, 1031, 1251, 1647, 1678, 1681, 1911, 1912, 1913, 2479, 2492.

² *See, e.g.*, ECF Nos. 1082, 1550, 1729, 2069, 2182, 2309, 2336, 2493, 2525.

1 Bundy's objections). Despite this Mr. Bundy continues to file untimely, duplicative motions. His
2 current motion is frivolous and Mr. Bundy's practice of filing untimely serial motions is an abusive
3 litigation tactic. The current motion will therefore be stricken.

4 **IT IS ORDERED:**

- 5 1. The Government's Motion to Strike (ECF No. 2728) is **GRANTED**.
6 2. The Clerk of the Court shall **STRIKE** Defendant Ryan C. Bundy's Motion to Dismiss
7 Indictment With Prejudice Pursuant to FRCRIMP 12(b) [*sic*] (ECF No. 2625) from the
8 court's docket.

9 DATED this 20th day of October, 2017.

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11 PEGGY A. LEEN
12 UNITED STATES MAGISTRATE JUDGE
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